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09/905,118	07/13/2001	Emer B. Natalio	1821P	8451

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EXAMINER
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JEAN GILLES, JUDE

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/905,118

Applicant(s)

NATALIO, EMER B.

Examiner

Jude J. Jean-Gilles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This Action is in regards to the Reply received on 2 May, 2005.

#### ***Response to Amendment***

1. This action is responsive to the application filed on May 2<sup>nd</sup>, 2005. Claims 1, 22, 26, 27, and 28 were amended. Claims 29-31 are newly added. Claims 1-31 are pending. Claims 1-31 represent a method and system "for information distribution in an airport."

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 22, 26, 27, and 28 have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new ground of rejection as explained here below, necessitated by Applicant substantial amendment (i.e., a method wherein a wireless internet based airport distribution system... ) to the claims which significantly affected the scope thereof.

The dependent claims stand rejected as articulated in the First Office Action and all objections not addressed in Applicant's response are herein reiterated

***Claim Rejections - 35 USC § 103***

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bastian et al (Bastian), U.S. Patent No. 6,757,712 B1 in view of Conrad et al (Conrad), U.S. patent No. 6,810,527 B1.

**Regarding claim 1:** Bastian teaches a wireless Internet airport information distribution system (*fig. 1*) comprising:

at least one airport data center, the at least one airport data center containing Airport flight Information Database(FID) and Baggage Information Database (BID) (*fig. 5, items 20, 195; column 3, lines 8-14; column 7, lines 29-33*); directly coupled to the Internet as well as coupled to the at least one airport based data center (*column 3, lines 50-53*); (*column 3, lines 50-53*); however Bastian does not specifically teach an information distribution system for distribution of information from the at least one airport data center and for providing and receiving data to second land based web server which formats the data for wireless Internet enabled communication device concerning airport information.

In the same field of endeavor, Conrad et al disclose " a global operations center that delivers global live, timely content, advertisement...and access control information such as ticket , airline, passenger demographics..using satellite delivery (wireless) of signals to aircrafts [see Conrad; *column 4, lines 17-67*].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Conrad et al's teachings using airport based data center[see Conrad; fig. 1] with the teachings of Bastian et al, for the purpose of improving the ability of a network "*to monitor passenger activities and record these activities for other uses*" as stated by Bastian in lines 39-40 of column 6. By this rationale, claim 1 is rejected.

**Regarding claim 2:** The combination Bastian- Conrad teaches the system of claim 1 wherein the network comprises a public network (see *Bastian ; column 4, lines 39-44*).

**Regarding claim 3:** The combination Bastian- Conrad teaches the system of claim 2 wherein the at least one airport data center includes a first firewall (see *Bastian ; column 2, lines 54-61*).

**Regarding claim 4:** The combination Bastian- Conrad teaches the system of claim 1 wherein the server system includes;

a server coupled to the network (see *Bastian ; fig. 5, items 20, 50; column 13, lines 33-37*);

a local area network (LAN) coupled to the server (see *Bastian ; fig. 5, items 20, 50; column 17, lines 5-7*); and

a web server coupled to the LAN for receiving airport information from and providing airport information to a communication device (see *Bastian ; fig. 5, items 20, 50; column 17, lines 5-13*).

**Regarding claim 5:** The combination Bastian- Conrad teaches the system of claim 1 wherein the airport information database and the database are coupled via a local area network (*see Bastian ; fig. 5, items 20, 50; column 7, lines 28-33*).

**Regarding claim 6:** The combination Bastian- Conrad teaches the system of claim 4 wherein a first firewall is coupled between the server and the public network and a second firewall is coupled between the web server and the communication device (*see Bastian ; column 2, lines 54-61; column 6, lines 10-17*).

**Regarding claim 7** The combination Bastian- Conrad teaches the system of claim 1 wherein the communication device is wireless (*see Bastian ; column 9, lines 13-20*).

**Regarding claim 8:** The combination Bastian- Conrad teaches the system of claim 7 wherein the communication device can be any of a personal digital assistant (PDA), mobile telephone, personal computer, and laptop device (*see Bastian ; column 9, lines 13-20*).

**Regarding claim 9:** The combination Bastian- Conrad teaches the system of claim 1 wherein the airport information database comprises at least one of a flight information database (FID) and a baggage information database (BID) (*see Bastian ; column 3, lines 8-12; column 15, lines 33-36; it is important to note that the database containing flight information resides in the server*).

**Regarding claim 10:** The combination Bastian- Conrad teaches the system of claim 1 wherein a local area network is coupled between the flight information database

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and the server of the at least one airport data center (see *Bastian* ; fig. 5, items 20, 50; column 15, lines 33-37).

**Regarding claim 11:** The combination *Bastian*- *Conrad* teaches the system of claim 1 wherein the server system includes;

a second server coupled to the network (see *Bastian* ; fig. 5, items 90, 80, and 195; it is important to note that one of the email servers represent the second server );

a local area network (LAN) coupled to the second server (column 16, lines 45-47; note the email servers are connected to the VPN network 150 which is a local area network); and

a web server coupled to the LAN for receiving airport information from and providing airport information to a communication device (see *Bastian* ; fig. 5, items 90, 120, 195, and 150; column 16, lines 42-48; note that the base station 90 is responsible for contacting station 120 via the LAN to provide necessary information”).

**Regarding claim 12:** The combination *Bastian*- *Conrad* teaches the system of claim 11 wherein the airport information database and the database are coupled via a local area network (see *Bastian* ; fig. 5, items 20, 50; column 7, lines 28-33).

**Regarding claim 13:** The combination *Bastian*- *Conrad* teaches the system of claim 12 wherein the network comprises a public network (see *Bastian* ; column 4, lines 39-44).

**Regarding claim 14:** The combination *Bastian*- *Conrad* teaches the system of claim 13 wherein the at least one airport data center includes a first firewall (see *Bastian* ; column 2, lines 54-61).

**Regarding claim 15:** The combination Bastian- Conrad teaches the system of claim 14 wherein a second firewall is coupled between the second server and the public network and a second firewall is coupled between the web server and the communication device (see *Bastian* ; column 2, lines 54-61; column 6, lines 10-17).

**Regarding claim 16:** The combination Bastian- Conrad teaches the system of claim 15 wherein the communication device is wireless (see *Bastian* ; column 9, lines 13-20).

**Regarding claim 17:** The combination Bastian- Conrad teaches the system of claim 16 wherein the communication device can be any of a personal digital assistant (PDA), mobile telephone, personal computer, and laptop device (see *Bastian* ; column 9, lines 13-20).

**Regarding claim 18:** The combination Bastian- Conrad teaches the system of claim 17 wherein the airport information database comprises at least one of a flight information database (FID) and a baggage information database (BID) (see *Bastian* ; column 3, lines 8-12; column 15, lines 33-36; it is important to note that the database containing flight information resides in the server).

**Regarding claim 19:** Bastian et al teach the system of claim 18 wherein a local area network is coupled between the flight information database and the server of the at least one airport data center (see *Bastian* ; fig. 5, items 20, 50; column 15, lines 33-37).

**Regarding claim 20:** The combination Bastian- Conrad teaches the invention substantially as claimed. Bastian et al teach the airport information system of claim 1 wherein the information is in multiple languages[see *Conrad*; column 7, lines 5-20].



**Regarding claim 21:** The combination Bastian- Conrad teaches the invention substantially as claimed. Bastian et al teach the system of claim 1 in multiple languages [see *Conrad*; column 7, lines 5-20].

**Regarding claim 22:** The combination Bastian- Conrad teaches a method for distributing airport information comprising the steps:

(a) providing an airport information database containing flight information (FID), and baggage information (BID) within an airport data center (see *Bastian* ; column 3, lines 8-14; column 7, lines 29-33);

(b) airport information database is sent to a second land database server; (see *Bastian* ; column 9, lines 13-20; column 10, lines 4-7; note that the user device accesses server 20 which contains the database information); and

c) initiating request for information from the second land based airport information database by a wireless communication device [see *Conrad*; column 4, lines 16-67; fig. 1]; and

(c) obtaining information related to the request by the wireless communication device (see *Bastian* ; column 10 lines 7-15).

**Regarding claim 23:** The combination Bastian- Conrad teaches the method of claim 22 wherein the information comprises local resource information, which is specific to a particular airport (see *Bastian* ; column 15, lines 24-41).

**Regarding claim 24:** The combination Bastian- Conrad teaches the method of claim 23 wherein the local resource information can be any combination of data on flights, baggage location, airport butler, shop finder, transportation system, lodging,

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directions, local events, local attractions, promotions, feedback, choice of airport and language (see *Bastian* ; column 15, lines 24-41).

**Regarding claim 25:** The combination *Bastian*- *Conrad* teaches the method of claim 24 wherein a passenger is notified/alerted by the wireless device when a plane is boarding passengers (see *Bastian* ; column 15, lines 36-42; note that the laptop is a wireless device and that the email is used to notify passengers to board the aircraft).

**Regarding claim 26:** *Bastian et al* disclose the invention substantially as claimed. *Bastian et al* teach a method for distributing airport information comprising the steps:

(a) providing an airport information database within an airport data center (see *Bastian*; fig. 5, items 20, 195; column 3, lines 8-14; column 7, lines 29-33);

(b) initiating a request for local resource information from the airport information database by a wireless communication device (see *Bastian*; column 9, lines 13-20; column 10, lines 4-7; note that the user device accesses server 20 which contains the database information); and

*Bastian et al* further disclose (c) obtaining information related to the request by the wireless communication device (see *Bastian*; column 10 lines 7-15). However, *Bastian et al* are silent on the fact that the requested information notifies passengers on whether a flight is cancelled or delayed, wherein the notification is provided via a short message system.

In the same field of endeavor, *Conrad et al* disclose “*sending email information related to delay in take off, change in flight routing to passengers using a PC that is*

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*either wired or using wireless connection "* [see Conrad; column 3, lines 8-14, 25-29; column2, lines 38-44].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Conrad et al's teachings of using short email messages to notify passengers with the teachings of Bastian et al, for the purpose of improving the ability of a network "*to minimize cost and improve efficiency*" as stated by Bastian in line 44 of column 5.

**Regarding claim 27:** Bastian et al teach a method for distributing airport information comprising the steps:

(a) providing an airport information database containing flight information database (FID) within an airport data center(*fig. 5, items 20, 195; column 3, lines 8-14; column 7, lines 29-33*);

(b) initiating a request for local resource information from a second land based airport information database by a wireless communication device(*column 9, lines 13-20; column 10, lines 4-7; note that the user device accesses server 20 which contains the database information*); and

Bastian et al further disclose (c) obtaining information related to the request by the wireless communication device (*column 10 lines 7-15*). ). However, Bastian et al are silent on the fact a passenger can obtain information about different flights intermingled with advertising, wherein a loyalty program for the passenger is utilized between merchants.

In the same field of endeavor, Conrad et al disclose "*using local merchants for advertisement which represent a viable support group in flight entertainment network*" [see Conrad; column 16, lines 36-43].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Conrad et al's teachings of sending local merchants advertisement information to passengers with the teachings of Bastian et al, for the purpose of improving the ability of a network "*to minimize cost and improve efficiency*" as stated by Bastian in line 44 of column 5.

**Regarding claim 28:** Bastian et al teach a method for distributing airport information comprising the steps:

(a) providing an airport information database containing flight information database (FID) and baggage information database (BID) within an airport data center(*fig. 5, items 20, 195; column 3, lines 8-14; column 7, lines 29-33*);

(b) initiating a request for local resource information from the airport information from a second land based database by a wireless communication device(*column 9, lines 13-20; column 10, lines 4-7; note that the user device accesses server 20 which contains the database information*); and

(c) obtaining information related to the request by the wireless communication device, wherein local transportation information is obtained by the passenger, wherein the modes of transportation are provided, as well as associated advertising.

Bastian et al further disclose (c) obtaining information related to the request by the wireless communication device (*column 10 lines 7-15*). ). However, Bastian et al

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are silent on the fact a passenger can obtain information about different merchants intermingled with advertising, wherein a loyalty program for the passenger is utilized between merchants.

In the same field of endeavor, Conrad et al disclose "*using local merchants for advertisement which represent a viable support group in flight entertainment network as well as distribution of information such as aircraft number, flight number, flight phase, airline, cabin class, flight origin, flight destination, passenger demographics ... to passengers*" [see Conrad; column 16, lines 36-43; column 2, lines 22-31].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Conrad et al's teachings of sending local merchants advertisement information and modes of transportation to passengers with the teachings of Bastian et al, for the purpose of improving the ability of a network "*to minimize cost and improve efficiency*" as stated by Bastian in line 44 of column 5.

**Regarding claim 29:** The combination Bastian- Conrad teaches the method of claim 28, which is, includes the steps of obtaining

information related to the request by the wireless communication device, wherein consumer related information is obtained by the passenger, as well as associated advertising [see Conrad; column 4, lines 16-67]

**Regarding claim 30:** The combination Bastian- Conrad teaches the method of claim 28 wherein merchants are contacted by a single phone button press. Examiner takes official notice for this limitations as it would have been obvious for an ordinary skill

in the art to use a single press button to contact merchant as this is well known in the art.

**Regarding claim 31:** The combination Bastian- Conrad teaches the method of claim 28 wherein passengers are contacted by broadcast alerts and notifications [see Conrad; column 4, lines 16-67].

### ***Response to Arguments***

8. Applicant's Request for Reconsideration filed on May 2<sup>nd</sup>, 2005, has been carefully considered but is not deemed fully persuasive. However, because there exists the likelihood of future presentation of this argument, the Examiner thinks that it is prudent to address Applicants' main points of contention.

The Bastian Reference, teach or suggest information distributor servers that are physically located within the Aircraft whereas, information distribution servers in accordance with the present invention are physically located on the ground and are exclusive to each airport.

9. It is the position of the Examiner That the Bastian does not clearly disclose distribution servers in accordance with the present invention are physically located on the ground and are exclusive to each airport. However, in view of Applicant's remarks, a new ground under 35 USC § 103 is used to reject the claims [see Conrad; column 4, lines 17-67]. By this rationale, claims 1-31 are rejected.

**Conclusion**

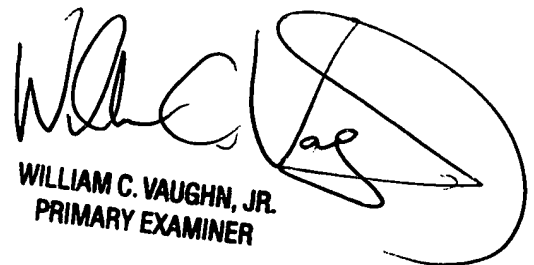
10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE NON-FINAL.**

11. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles  
Patent Examiner  
Art Unit 2143

  
WILLIAM C. VAUGHN, JR.  
PRIMARY EXAMINER

JJG

August 08, 2005

